



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

April 14, 2022

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VIA ECF

Hon. Gregory H. Woods
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

Re: *e Tailers ISS, Inc., et al. v. Miller, et al.*, No. 21 Civ. 7397 (GHW)

Dear Judge Woods:

This Office represents the government in this action in which the plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Immigrant Petition for Alien Worker (Form I-140), Application to Register Permanent Residence or to Adjust Status (Form I-485), and Application for Employment Authorization (Form I-765). On behalf of the government, I write respectfully to request an on-consent sixty-day extension of time to respond to the complaint from April 18, 2022, to June 17, 2022. I also respectfully request that the initial conference presently scheduled for April 25, 2022, be adjourned to the week of June 27, 2022, or thereafter.

I respectfully request this extension because USCIS issued a Notice of Intent to Deny (“NOID”) in this case on December 16, 2021, and the plaintiffs submitted their response to USCIS on March 14, 2022.¹ USCIS needs additional time to review the response, after which USCIS may be in a position to take further adjudicative action that may render this action moot. This is the government’s third request for an extension of the deadline to respond to the complaint and an adjournment of the initial conference; the Court granted the prior requests. Plaintiffs consent to these requests.

¹ The response time for a NOID is generally thirty days; however, USCIS has extended response deadlines by sixty days due to the COVID-19 pandemic.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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United States Attorney

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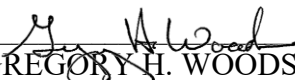
cc: Counsel of record (via ECF)

The Government's application for an extension of time to answer or otherwise respond to the complaint and to adjourn the initial pretrial conference, Dkt. No. 33, is granted. The deadline for Government to answer or otherwise respond to the complaint is extended to June 17, 2022. The initial pretrial conference scheduled for April 25, 2022 is adjourned to July 1, 2022 at 4:30 p.m. The joint status letter described in the Court's September 27, 2021 order is due no later than June 24, 2022.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 33.

SO ORDERED.

Dated: April 14, 2022
New York, New York


GREGORY H. WOODS
United States District Judge